

REMARKS

This Amendment is in response to the Final Office Action mailed September 5, 2008. Claims 7 and 17 have been rejected under 35 U.S.C. § 102(e) over Adelerhof et al. (WO 00/79298). Claims 2-8, 17 and 18 have been rejected on the grounds of non-statutory obviousness-type double patenting over claims 4, 7, 8 and 11 of U.S. Patent 7,187,167. Claims 7 and 17 have been cancelled. Claim 8 has been redrafted in independent form. Reconsideration of the present application is respectfully requested.

In paragraphs 7-11 of the Final Office Action, the previously submitted terminal disclaimer has not been accepted. In Applicants' previous Amendment filed December 5, 2008, Applicants submitted a new terminal disclaimer and terminal disclaimer fee. Withdrawal of the rejection of claims 2-8, and 18 for obviousness-type double patenting over U.S. Patent 7,187,167 is therefore respectfully requested.

Applicants have amended claim 8 to be in independent form. Claim 8 has been amended to incorporate all of the limitations of its base claim, cancelled claim 7. As the only rejection of claim 8 was the double patenting rejection discussed above, claim 8 is now in condition for allowance.

In paragraphs 13-17, claims 7 and 17 have been rejected under § 102 over Adelerhof. Applicants have cancelled both claims 7 and 17 thus rendering these rejections moot.

Applicant's filing of the terminal disclaimer and rewriting of claim 8 in independent form places claims 2-8 and 18 in condition for allowance.

Applicant's cancellation of claims 7 and 17 removes the only outstanding rejection of the claims. Thus, as each of the remaining claims of the present application are currently in condition for allowance, such action is earnestly solicited.

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Respectfully submitted,

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